

In Spokane, Washington, Bozeman High placed second two years consecutively at the Lilac Festival Marching Band competition. There are countless other victories for this organization, all of which tell volumes about the quality of students we raise in good ole' Montana.

I stand in front of the nation today to say "congratulations" and "a job well done" to each and every student that represented the State of Montana in this year's Rose Bowl Parade.●

#### COMMISSIONER ROY C. HOWES RETIREES

● Mr. ABRAHAM. Mr. President, I rise today to honor Roy C. Howes as he celebrates his retirement on January 30, 1999, from the Manistee County Board of Commissioners after forty-five years of service.

Mr. Howes possesses a unique dedication to his community evidenced by his remarkable history of achievements. Since his first term as county commissioner in the 1950's, he has witnessed first hand the dramatic changes in county government and has helped prepare Manistee County for the new millennium. Most notably, Mr. Howes drew upon his experience as a forest farmer and timber operator to institute proper forest management techniques leading to increased county revenue.

In addition to his position as county commissioner, Mr. Howes served on the Michigan Association of Township Supervisors for almost a decade, as well as the state committee that drafted a new Michigan constitution. It was his desire to help older citizens with social security and income tax issues that prompted his initial interest in politics. Mr. Howes continues his good work today by assisting disabled children and students in need of loans as chairman of the board of directors for the Michigan Rural Rehabilitation Corporation.

It is with great admiration that I salute Mr. Howes' contributions to Manistee County and the entire state of Michigan. His work inspires us all to serve to the best of our ability and reassures us that each individual can positively impact his community. I wish Mr. Howes the best of luck for his future.●

#### OFFICE OF COMPLIANCE REPORT TO CONGRESS

● Mr. THURMOND. Mr. President, pursuant to Section 102(b) of the Congressional Accountability Act of 1995 (2 U.S.C. sec. 1302(b)), the Board of Directors of the Office of Compliance have submitted a report to Congress. This document is titled a "Review and Report on the Applicability to the Legislative Branch of Federal Laws Relating to Terms and Conditions of Employment and Access to Public Services and Public Accommodations."

Section 102(b) requires this report to be printed in the CONGRESSIONAL

RECORD, and referred to committees with jurisdiction. Therefore, I ask that the report be printed in the RECORD.

The report follows:

OFFICE OF COMPLIANCE—SECTION 102(b) REPORT—REVIEW AND REPORT ON THE APPLICABILITY TO THE LEGISLATIVE BRANCH OF FEDERAL LAWS RELATING TO TERMS AND CONDITIONS OF EMPLOYMENT AND ACCESS TO PUBLIC SERVICES AND PUBLIC ACCOMMODATIONS

Prepared by the Board of Directors of the Office of Compliance Pursuant to Section 102(b) of the Congressional Accountability Act of 1995, 2 U.S.C. §1302(b), December 31, 1998

#### GLOSSARY OF ACRONYMS AND DEFINED TERMS

The following acronyms and defined terms are used in this Report and Appendices:

1996 Section 102(b) Report—the first biennial report mandated by §102(b) of the Congressional Accountability Act of 1995, which was issued by the Board of Directors of the Office of Compliance in December of 1996.

1998 Section 102(b) Report—this, the second biennial report mandated under §102(b) of the Congressional Accountability Act of 1995, which is issued by the Board of Directors of the Office of Compliance on December 31, 1998.

ADA—Americans with Disabilities Act of 1990, 42 U.S.C. §12101 et seq.

ADEA—Age Discrimination in Employment Act of 1967, 29 U.S.C. §621 et seq.

ADR—Alternative Dispute Resolution.

AG—Attorney General.

Board—Board of Directors of the Office of Compliance.

CAA—Congressional Accountability Act of 1995, 2 U.S.C. §1301 et seq.

CAA laws—the eleven laws, applicable in the federal and private sectors, that are made applicable to the legislative branch by the CAA and are listed in section 102(a) of that Act.

CG—Comptroller General.

Chapter 71—Chapter 71 of title 5, United States Code.

DoL—Department of Labor.

EEO—Equal Employment Opportunity.

EEOC—Equal Employment Opportunity Commission.

EPA—Equal Pay Act provisions of the Fair Labor Standards Act, 29 U.S.C. §206(d).

EPPA—Employee Polygraph Protection Act of 1988, 29 U.S.C. §2001 et seq.

FLRA—Federal Labor Relations Authority.

FLSA—Fair Labor Standards Act of 1938, 29 U.S.C. §201 et seq.

FMLA—Family and Medical Leave Act of 1993, 29 U.S.C. §2611 et seq.

GAO—General Accounting Office.

GAOPA—General Accounting Office Personnel Act of 1980, 31 U.S.C. §731 et seq.

GC—General Counsel. Depending on the context, "GC" may refer to the General Counsel of the Office of Compliance or to the General Counsel of the GAO Personnel Appeals Board.

GPO—Government Printing Office.

Library—Library of Congress.

MSPB—Merit Systems Protection Board.

NLRA—National Labor Relations Act.

NLRB—National Labor Relations Board.

OC—Office of Compliance.

Office—Office of Compliance.

OPM—Office of Personnel Management.

OSH—Occupational Safety and Health.

OSHAct—Occupational Safety and Health Act of 1970, 29 U.S.C. §651 et seq.

PAB—Personnel Appeals Board of the General Accounting Office.

PPA—Portal-to-Portal Act of 1947, 29 U.S.C. §251 et seq.

RIF—Reduction in Force.

Section 230 Study—the study mandated by section 230 of the Congressional Accountability Act of 1995, which was issued by the Board of Directors of the Office of Compliance in December of 1996.

Title VII—Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq.

ULP—Unfair Labor Practice.

USERRA—Section 2 of the Uniformed Services Employment and Reemployment Rights Act of 1994, 38 U.S.C. chapter 43.

VEOA—Veterans Employment Opportunities Act of 1998, Pub. Law No. 105-339.

WARN Act—Worker Adjustment and Retraining Notification Act, 29 U.S.C. §2101 et seq.

#### EXECUTIVE SUMMARY

In this Report, issued under section 102(b) of the Congressional Accountability Act of 1995 ("CAA"), the Board of Directors of the Office of Compliance reviews new statutes or statutory amendments enacted after the Board's 1996 Report was prepared, and recommends that certain other inapplicable laws should be made applicable to the legislative branch. In the second part of this Report, the Board reviews inapplicable provisions of the private-sector laws generally made applicable by the CAA (the "CAA laws"),<sup>1</sup> and reports on whether and to what degree these provisions should be made applicable to the legislative branch. Finally, the Board reviews and makes recommendations on whether to make the CAA or another body of laws applicable to the General Accounting Office ("GAO"), the Government Printing Office ("GPO"), and the Library of Congress ("Library").

#### Part I

After reviewing all federal laws and amendments relating to terms and conditions of employment or access to public accommodations and services passed since October, 1996, the Board concludes that no new provisions of law should be made applicable to the legislative branch. Two laws relating to terms and conditions of employment were amended, but substantial provisions of each law have already been made applicable to the legislative branch. However, the provisions of private-sector law which the Board identified in 1996 in its first Section 102(b) Report as having little or no application in the legislative branch have not yet been made applicable, and the Board's experience in the administration and enforcement of the Act in the two years since that first report was submitted to Congress has raised several new issues.

Based on the work of the 1996 Section 102(b) Report, the Board makes the following two sets of recommendations.

(1) The Board resubmits the recommendations made in the 1996 Section 102(b) Report that the following provisions of laws be applied to employing offices within the legislative branch: Prohibition Against Discrimination on the Basis of Bankruptcy (11 U.S.C. §525); Prohibition Against Discharge from Employment by Reason of Garnishment (15 U.S.C. §1674(a)); Prohibition Against Discrimination on the Basis of Jury Duty (28 U.S.C. §1875); Titles II and III of the Civil Rights Act of 1964 (42 U.S.C. §§2000(a) to 2000a-6, 2000b to 2000b-3) (prohibiting discrimination on the basis of race, color, religion, or national origin regarding the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodation as defined in the Act).

(2) After further study of the whistleblower provisions of the environmental laws (15

<sup>1</sup> This report uses the term "CAA laws" to refer to the eleven laws, applicable in the federal and private sectors, made applicable to the legislative branch by the CAA and listed in section 102(a) of that Act.